



# BENSALEM TOWNSHIP

Building and Planning Department  
2400 Byberry Road • Bensalem PA 19020  
215-633-3644 • FAX 215-633-3653

Exhibit Z-4

## Zoning Hearing Board

Appeal Number: \_\_\_\_\_

### Township of Bensalem, Bucks County, Pennsylvania Notice of Appeal

Appeal is hereby made by the undersigned from the action of the Zoning Officer.

Check applicable item(s):

- ☐ Certification of Non-Conforming Use
- ☐ Application for Validity Challenge
- ☐ Administrative Officer in refusing my application for a building permit dated: \_\_\_\_\_
- ☐ Special Exception
- ☒ Variance from the terms of the Zoning Ordinance of the Township of Bensalem

**Appellant Name:** Shobhana and Dilipkumar Patel, Shreejal Patel

Address: 36 Beechwood Blvd  
Trevose, PA 19053

Phone No. \_\_\_\_\_

**Owner's Name:** Shobhana and Dilipkumar Patel, Shreejal Patel

Address: 36 Beechwood Blvd  
Trevose, PA 19053

Phone No. \_\_\_\_\_

**Attorney Name:** \_\_\_\_\_

Address: \_\_\_\_\_

Phone No. \_\_\_\_\_

Interest of appellant, if not owners (agent, lessee, etc.): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**1. Application relates to the following:**

Check items if applicable:

- |   |  |
|---|--|
| <input type="checkbox"/> Use                          | <input type="checkbox"/> Lot Area          |
| <input type="checkbox"/> Height                       | <input type="checkbox"/> Yards             |
| <input type="checkbox"/> Existing Building            | <input type="checkbox"/> Proposed Building |
| <input type="checkbox"/> Occupancy                    |  |
| <input checked="" type="checkbox"/> Other: (describe) |  |

Request for variance for rear yard setback for new wooden deck construction

**2.**

**Brief description of Real Estate affected:**

Tax Parcel Number: 02-003-002-044

Location: 36 Beechwood Blvd, Trevoose, PA, 19053

Lot Size: 13,547 SF

Present Use: Residential – Single Family

Proposed Use: Residential – Single Family

Present Zoning Classification: R-44

Present Improvement upon Land: Single Family Home – New deck

Deed recorded at Doylestown in Deed Book 382 Page 17&c

3. If this is an appeal to challenge, provide statement and/or basis for challenge to the validity of the zoning ordinance.

Request for variance for rear yard setback for new wooden deck construction. Applicant does not  
challenge the validity of the zoning ordinance.

4. If this is an Appeal from action of the Zoning Administrative Officer then complete the following:

Date Determination was made: \_\_\_\_\_

Your statement of alleged error of Zoning Administrative Office: Request for variance for rear yard  
setbak for new wooden deck construction. Applicant does not allege Zoning Administration error.

5. Specific reference to section of the Zoning Ordinance upon which application for special exception or variance is based (if special or variance is desired):

<sup>-301(A)5</sup>  
Section 232-~~222(c)(2)~~ and relief sought pursuant to Section 232-781(e)

6. Action desired by appellant or applicant (statement of relief sought or special exception or variance desired):

Applicant requests rear yard setback variance of 16 feet for new wooden deck

7. Reasons appellant believes board should approve desired action (refer to section or sections of ordinance under which it is felt that desired action may be allowed, and not whether hardship is (or is not) claimed, and the specific hardship.

See attached statement

8. Has previous appeal or application for special exception or variance been filed in connection with these premises?

☐ YES ☒ NO

Specifications of errors must state separately the appellant's objections to the action of the zoning administrative office with respect to each question of law and fact which is sought to be reviewed.

I, hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith, are true to the best of my knowledge and belief.

Appellant's or Owner's Signature

8<sup>th</sup> July 2016  
Date

Sworn to and subscribed before me this

8<sup>th</sup> day of July 2016  
200

Notary Public

My commission expires: 1/20/2019

Commonwealth of Pennsylvania

NOTARIAL SEAL  
Mashyaneh Pohorilenko, Notary Public  
Bensalem Township, Bucks County  
My Commission Expires January 20, 2019

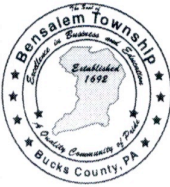


Application for Zoning Variance: Dilipkumar and Shobhana Patel, Shreejal Patel

Property: 36 Beechwood Blvd, Trevoise, PA 19053

Response to Question 7

7. The variance should be allowed under Section 232-781(e) of the Bensalem Township Code of Ordinances as ~~Section 232-200(e)(10)~~ <sup>301(a)5</sup> inflicts unnecessary hardship upon applicants for the following reasons:
- (a) The subject property is irregularly shaped due its location on a corner lot and because of the position of the property lines of the adjacent properties. The majority of the open space on the property extends outward from the house at an angle that is not conducive to the construction of a deck and the reasonable use of the property. The unnecessary hardship is due to such conditions;
  - (b) Due to this irregularity of shape there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and thus the authorization of a variance is necessary to enable the reasonable use of the property;
  - (c) The variance, if authorized, will not alter the essential character of the neighborhood or in anyway impair the use of the adjacent properties. The adjacent neighbors have comparable decks and are sufficiently screened from the property by privacy fencing and landscaping; and
  - (d) The variance would offer the minimum variance and represent the least modification possible of the regulation in issue.
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# BENSALEM TOWNSHIP

*Building and Planning Department*

Office 215-633-3644 • Fax 215-633-3753

Matthew K. Takita

*Director of Building and Planning*

2400 Byberry Road • Bensalem, PA 19020

June 28, 2016

DILIP KUMAR PATEL  
34 BEECHWOOD BLVD  
TREVOSSE, PA 19053

<b>Project:</b>	<b>DECK</b>
<b>Project Address:</b>	<b>34 BEECHWOOD BLVD TREVOSSE, PA 19053</b>
<b>Tax Parcel:</b>	<b>02-003-002-043</b>
<b>Property Owner:</b>	<b>SAME AS ADDRESSED</b>
<b>Permit Status:</b>	<b>APPLICATION DENIED</b>

## Electronic Review Status

Dear Sir/Madam:

A review was conducted on the application for the referenced project pursuant to Chapter 232 ZONING. The attached sheets show what was found during the review and this information is required to complete the permit application for the above referenced project.

The review process utilizes Adobe Acrobat allowing reviewers to make their comments directly on the plan pages. These comments are tracked throughout the review and a printed summary serves as the basis for a rejection on the project until required changes have been made. The attached sheets will show an image of the plan page including its associated comments with connector lines. Only those pages of the plans that require a revision have been generated and included.

You are required to resubmit plans with revisions and will need to burn the **complete** set of plans with revisions to a new disc. Return it to the Building & Planning Department. You are to include a summary list of **all** changes that were made to the plans including those required by the Township. For each change made to the plans, note the sheet number, drawing title, and a brief description of the change made. Please label the disc with the project address, date and revision number to distinguish it from any earlier submissions.

It is our intent that you receive as few rejections as possible and provide reviewers a more efficient method for completing the review by utilizing the comments summary. The print dialog box should include the following summary options:

- Layout - Document and comments with connector lines on single pages
- Font Size - Large font size
- Include - all comments
- **Clear** - the checkbox to NOT include pages containing no comments

It is possible that upon receipt of the revised plans, additional items for compliance may be required. This letter shall serve as formal notice that your permit application has been rejected for said project until such time as the requested information has been provided.

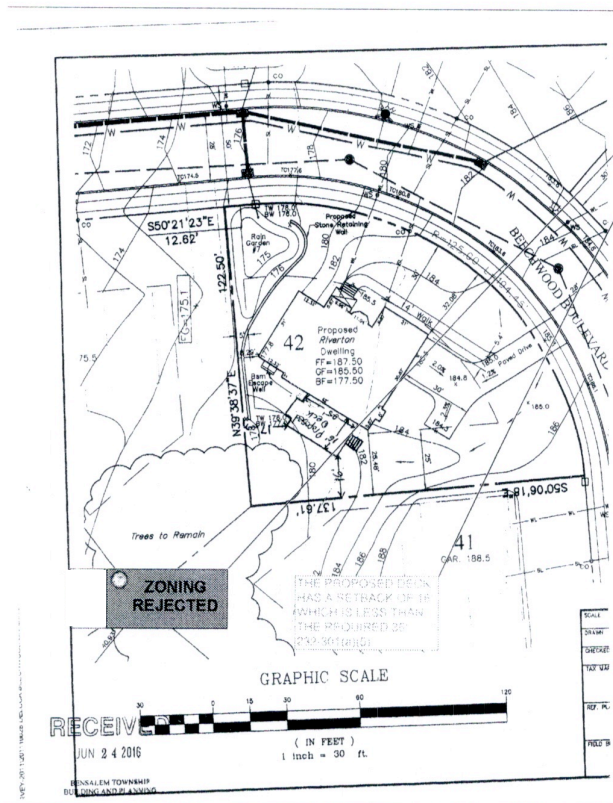
You have the right to appeal this rejection letter. Applications for the Zoning Hearing Board can be obtained from the Building and Planning Department located in the Municipal Building at 2400 Byberry Road, Bensalem.

Respectfully

Matthew K. Takita, A.I.A., M.C.P.  
Director of Building and Planning

Email address \_\_\_\_\_

MKT/lva  
Enclosures



# Summary of Comments on 20160624\_113332.pdf

Page: 6

Author: mskata Subject: Zoning Rejected Date: 6/27/2016 1:23:56 PM

Author: mskata Subject: Text Box Date: 6/27/2016 1:20:08 PM

THE PROPOSED DECK HAS A RETRACK OF 18' WHICH IS LESS THAN THE REQUIRED 20' (20'-0" MINIMUM)





*Disclaimer: For informational purposes only - not to be used as official documentation.*

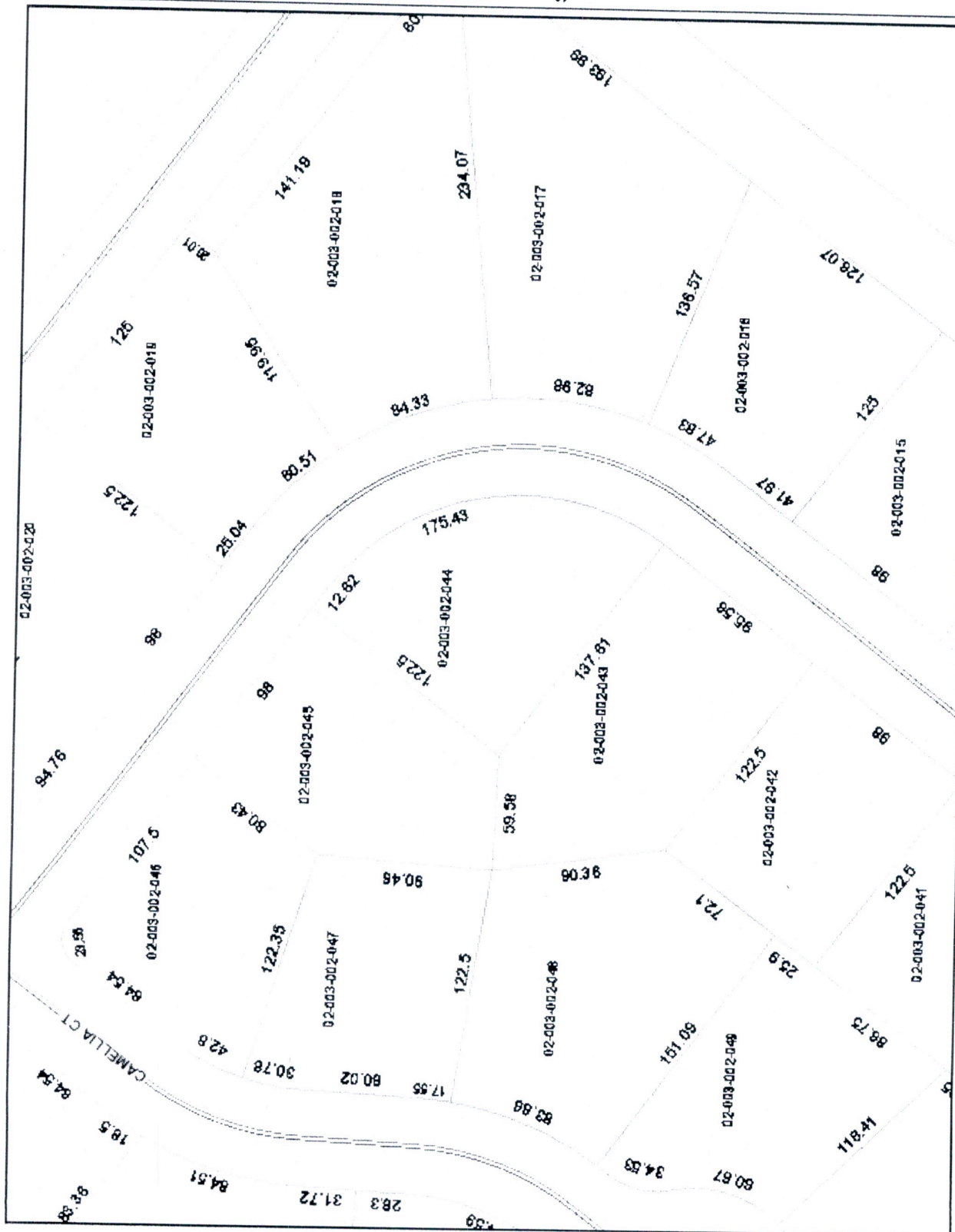
## Bucks County Map Viewer



Feet

50 0 50

Date: 7/1/2016



## Legend



Municipal Building



## Schools



## Golf Course



Library

Place Names

Major Roads 600 - 9600

interstate

## Turnpike

JS Highway

State Highway

Ramp

## Streets

## Local Roads

### Mail Line

streams

Municipality

## Water Areas

arkland No Fill

arcelis

